

EXHIBIT 1

FILED

04-25-2019

Clerk of Circuit Court

Waukesha County

2019CV000746

STATE OF WISCONSIN

CIRCUIT COURT

WAUKESHA COUNTY

M2 LEASE FUNDS, LLC
Suite 135
175 North Patrick Boulevard
Brookfield, WI 53045,

Plaintiff,

Case No.

v.

Case Code: 30301

PHILADELPHIA INDEMNITY
INSURANCE COMPANY
One Bala Plaza
Suite 100
Bala Cynwyd, PA 19004

Defendants.

SUMMONS

THE STATE OF WISCONSIN

To defendant named above:

You are hereby notified that the plaintiff named above has filed a lawsuit or other legal action against you. The complaint, which is attached, states the nature and basis of the legal action.

Within 45 (forty-five) days of receiving this summons, you must respond with a written answer, as that term is used in Chapter 802 of the Wisconsin Statutes, to the complaint. The court may reject or disregard an answer that does not follow the requirements of the statutes. The answer must be sent or delivered to the court, whose address is 515 W Moreland Blvd,

Waukesha, WI 53188 and to Susan G. Schellinger, plaintiff's attorney, whose address is 111 East Kilbourn, Suite 1400, Milwaukee, Wisconsin 53202. You may have an attorney help or represent you.

If you do not provide a proper answer within 45 (forty-five) days of receiving this summons, the court may grant judgment against you for the award of money or other legal action requested in the complaint, and you may lose your right to object to anything that is or may be incorrect in the complaint. A judgment may be enforced as provided by law. A judgment awarding money may become a lien against any real estate you own now or in the future, and may also be enforced by garnishment or seizure of property.

Dated this 25th day of April, 2019.

DAVIS & KUELTHAU, s.c.
Attorneys for Plaintiff
M2 LEASE FUNDS LLC

Electronically signed by Susan G. Schellinger
Russell S. Long
State Bar No. 1008602
Susan G. Schellinger
State Bar No. 1021147

P.O. Address:

111 E. Kilbourn Avenue
Suite 1400
Milwaukee, WI 53202
414.276.0200

Direct contact information:

Russell S. Long	414.225.1456 direct dial 414.278.3656 direct fax rlong@dkattorneys.com
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COMPLAINT

Plaintiff, M2 Lease Funds, LLC (M2), by its attorneys, Davis & Kuelthau, s.c., complains against the defendant, Philadelphia Indemnity Insurance Company (Philadelphia) as follows:

PARTIES

1. M2 is a Wisconsin limited liability company. It has a principal place of business at Suite 135, 175 North Patrick Boulevard, Brookfield, Wisconsin 53045.
2. Philadelphia is a foreign insurance company with a principal place of business at One Bala Plaza, Suite 100 in Bala Cynwyd, Pennsylvania 19004. Its registered agent for service of process is CT Corporation System, 301 South Bedford Street, Suite 1, Madison, Wisconsin 53703.

3. Philadelphia issued certain policies of automobile liability insurance to SASVE International, Inc. dba Sprinter Rentals (SASVE), with Policy Nos. PEX2004745 and PHEX2005095, each with policy periods of May 31, 2017 to May 31, 2018.

4. The policies of insurance were issued to provide coverage for two vehicles with VIN numbers WDZPE8CD8GP181928 and WDZPE8CD7GP204695.

5. The vehicles insured by Philadelphia constituted collateral securing a loan from M2 to SASVE.

6. M2 was a certificate holder and was included as loss payee under both of the above-referenced policies.

7. There was a total loss of both of the insured vehicles on or about November 17, 2017.

8. M2 is entitled to the proceeds of the insurance coverage on the vehicles as a loss payee under the policies.

9. M2 has made due demand upon Philadelphia for payment of the loss.

10. Despite due demand, Philadelphia has not made payment to M2 and has provided no explanation for its nonpayment.

11. Philadelphia's failure to pay amounts due and owing to M2 and its altogether failure to provide an explanation for its nonpayment is a breach of its insurance policy and bad faith.

WHEREFORE, plaintiff M2 demands judgment as follows:

1. Judgment for all amounts due M2 under the terms of the policy.
2. Damages for Philadelphia's breach of the duty of good faith.

3. Costs and disbursements, together with reasonable attorney's fees incurred by M2 in this action.

4. For such other relief as this Court may deem just and equitable.

Dated this 25th day of April, 2019.

DAVIS & KUELTHAU, s.c.
Attorneys for Plaintiff
M2 LEASE FUNDS LLC

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